

REMARKS

Claims 1-3, 5 and 7-26 were pending and rejected in the above-identified application. Claims 16, 17, and 18 have been cancelled. Accordingly, claims 1-3, 5, 7-15, and 19-26 are pending.

35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-3, 9-11, 14-16, 19, 20 and 23-26 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Martin, Jr. et al.* (U.S. Patent No. 6,509,913) in view of *Lee et al.* (U.S. Patent No. 6,728,531). Claim 16 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Lee et al.* Claims 5, 7-8 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Martin, Jr. et al.* in view of *Lee et al.* as applied to claims 1, 10, 16, 19 above, and further in view of *Moles et al.* (U.S. Patent No. 6,615,038). Claims 12 and 21 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Martin, Jr. et al.* in view of *Lee et al.* as applied to claims 10, 9 above, and further in view of *Miner et al.* (U.S. Patent No. 6,690,655). Claims 13 and 22 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Martin, Jr. et al.* in view of *Lee et al.* as applied to claims 1, 10, 16, 19 above, and further in view of *Schwartz et al.* (U.S. Patent No. 6,473,609). Applicant respectfully traverses this rejection.

With regards to independent claims 1, 10, and 19, the Examiner contends that *Martin* discloses each element of these claims except for the location identifier. The Examiner then contends that the location identifier element is disclosed by *Lee*. Applicant disagrees. First, Applicant submits that *Martin* does not disclose "a graphical interface on a first network device that displays an association page from which a user graphically establishes an association list between a first set of configuration data and a second set of displayed configuration data in a

user profile in a remote database." *Martin* teaches a method for allowing a network operator to remotely reconfigure the MMI of a user's cell phone or PDA after it has been sold. In particular, the network operator can associate portions of a cell phone or PDA display with various components or advertisements using a graphical interface. The cell phone or PDA is then remotely updated to reflect these changes. Thus, *Martin* simply discloses that various portions of a cell phone or PDA display can be reassigned using a graphical display. However, *Martin* does not teach or even suggest a graphical interface that displays the association between any two sets of data.

Applicant also submits that there is simply no motivation to combine *Martin* with *Lee*, as the Examiner suggests. "The mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification." *In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984). "The critical inquiry is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination." *Fromson v. Advance Offset Plate, Inc.* 225 USPQ 26, 31 (Fed. Cir. 1985). "Close adherence to this methodology is especially important of less technologically complex inventions, where the very ease with which the invention can be understood may prompt one to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999).

Nothing in the cited art suggests the desirability for combining *Martin* with *Lee*. As discussed above, *Martin* discloses that various portions of a cell phone or PDA display can be reassigned using a graphical display. *Lee*, on the other hand, discloses a portable radio capable of receiving internet and broadcast radio stations. *Lee* teaches that if the user is out of the

geographic area for a requested radio station, the device may request a recalibration of the local stations using a GPS device. Thus, there is simply no motivation to combine the non-broadcast, user specific reception devices in *Martin* with broadcast communications in *Lee*. If the Examiner maintains this rejection, Applicant requests that the Examiner identify the specific portions of the cited art that provide the alleged motivation to combine the references.

Moreover, even assuming any motivation to combine, the combination of *Martin* and *Lee* would not teach independent claims 1, 10, and 19. *Lee* discloses that a radio can recalibrate the local stations using GPS. When needed, *Lee* teaches that a location of the vehicle containing the radio is sent to a gateway and new channels are sent back to the radio. Any association between the preset buttons and the local stations would then have to be made by the user at the radio itself. By contrast, claims 1, 10, and 19 recite that the association between the first set of configuration data and the second set of configuration data, which is identified using the location identifier, is established "in a user profile in a remote database", and not in the radio itself. Accordingly, *Lee* actually teaches away from the claimed invention. Accordingly, Applicant submits that claims 1, 10 and 19, as well as dependent claims 2-3, 5, 7-9, 11-15, and 20-26 are allowable over the cited art.

Furthermore, although the Applicant disagrees with the Examiner's rejection of claims 16-19, Applicant cancels these claims at this time to further expedite the present application. Applicant reserves the right to pursue the claims at a later time.

In view of the foregoing, Applicant respectfully submits that all present invention is in condition for allowance. Should the Examiner have any remaining issue, Applicant kindly requests that the Examiner contact the undersigned.

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Respectfully submitted,

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